

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

PLAINTIFF,

v.

STATE OF GEORGIA

DEFENDANT.

Civil Action No.

1:16-cv-03088-ELR

UNOPPOSED MOTION FOR ENLARGEMENT OF TIME

NOW COMES United States of America, by and through the United States Attorney for the Northern District of Georgia, and moves this Court pursuant to Fed. R. Civ. P. 6(b) for an enlargement of time in which to file a Response to Defendant's Motion to Dismiss through and including December 9, 2016. The grounds for this motion are more particularly set forth in the accompanying memorandum of law.

Dated: November 15, 2016.

Respectfully submitted,

JOHN A. HORN
United States Attorney
Northern District of Georgia

/s/ Aileen Bell Hughes

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**MEMORANDUM OF LAW
IN SUPPORT OF
UNOPPOSED MOTION FOR ENLARGEMENT OF TIME**

Fed. R. Civ. P. 6(b) permits the Court broad discretion in granting enlargements of time made prior to the expiration of the time originally permitted to make the subject filing. *See Yonofsky v. Wernick*, 362 F.Supp. 1005, 1014 (S.D.N.Y. 1973); *see also* Wright & Miller, Federal Practice and Procedure § 1165 (1987).

The United States has started drafting a response to Defendant's Motion to Dismiss but needs additional time to complete its internal review and approval process. Counsel for the United States has consulted with counsel for the State of

Georgia, and he has no objection to this Motion. Therefore, United States of America respectfully requests an enlargement of time, through and including December 9, 2016, to file a Response to Defendant's Motion to Dismiss.

A proposed order granting the enlargement of time is attached.

Respectfully submitted,

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Northern District of Georgia

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Certificate of Compliance

I hereby certify, pursuant to Local Rules 5.1 and 7.1D, that the foregoing motion and brief have been prepared using Book Antiqua, 13 point font.

/s/ Aileen Bell Hughes

AILEEN BELL HUGHES

Assistant United States Attorney

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Certificate of Service

I served this document today by filing it using the Court's CM/ECF system,
which automatically notifies the parties and counsel of record.

November 15, 2016.

/s/ Aileen Bell Hughes

AILEEN BELL HUGHES

Assistant United States Attorney

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ORDER

Having read and considered United States of America's Motion for Enlargement of Time to file a Response to Defendant's Motion to Dismiss and for good cause shown, it is hereby ORDERED that United States of America shall be granted an extension of time to file a Response to Defendant's Motion to Dismiss through and including December 9, 2016.

So ordered this _____ day of _____, 201____.

Eleanor L. Ross
United States District Judge

Presented By:

/s/ Aileen Bell Hughes

AILEEN BELL HUGHES

Assistant United States Attorney

Georgia Bar No. 375505